

Bill No. 13-01
Concerning: Collective Bargaining –
Fire/Rescue Employees
Revised: 3/15/01 Draft No. 1
Introduced: March 20, 2001
Enacted: July 17, 2001
Executive: July 30, 2001
Effective: October 29, 2001
Sunset Date: None
Ch. 15, Laws of Mont. Co. 2001

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) include certain fire/rescue lieutenants and captains in the bargaining unit with certain fire/rescue employees for the purpose of collective bargaining; and
- (2) generally amend the law regarding collective bargaining for fire/rescue employees.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Sections 33-148 and 33-151

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|------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 33-148 and 33-151 are amended as follows:

33-148. Definitions.

The following terms have the meaning indicated when used in this Article:

* * *

- (2) **Certified representative** means an **employee** organization chosen to represent the **unit** as the exclusive bargaining agent [in accordance with] under this Article or Article VII.

* * *

- (4) **Employee** means [any] a fire and rescue **employee** in the classification of Fire/Rescue Captain, Fire/Rescue Lieutenant, Master Firefighter/Rescuer, Firefighter/Rescuer III, Firefighter/Rescuer II, and Firefighter/Rescuer I, but not [any **employee**]:

(A) an employee in a probationary status[, or];

(B) an employee in the classification of [Fire/Rescue Lieutenant] District Chief or [any] an equivalent or higher classification[.];
or

(C) a Fire/Rescue Lieutenant or Captain whose primary assignment is in:

(i) budget;

(ii) internal affairs;

(iii) labor relations;

(iv) human resources;

(v) public information; or

(vi) quality assurance.

* * *

33-151. Selection, certification, and decertification procedures.

(a) [Any] An **employee** organization seeking certification as representative of the **unit** must file a petition with the Labor Relations Administrator stating its name, address, and its desire to be certified. The **employee** organization must also send a copy of the petition, including a copy of the signatures of the supporting **employees** on the petition, to the employer. The petition must contain the uncoerced signatures of 30 percent of the **employees** in the **unit**, signifying [their] the **employees**' desire to be represented by the **employee** organization for purposes of collective bargaining.

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Approved:

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| <u>/S/</u> | July 18, 2001 |
| Blair G. Ewing, President, County Council | Date |

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| <u>/S/</u> | July 30, 2001 |
| Douglas M. Duncan, County Executive | Date |

This is a correct copy of Council action.

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| <u>/S/</u> | July 30, 2001 |
| Mary A. Edgar, CMC, Clerk of the Council | Date |